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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,763	01/10/2002	Hideki Mizuno	D-1233	3187

7590 07/08/2003

KANESAKA AND TAKEUCHI  
1423 Powhatan Street  
Alexandria, VA 22314

EXAMINER

DRAPER, DEANN L

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/041,763

Applicant(s)

MIZUNO ET AL.

Examiner

Deanna L. Draper

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 11 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

Claim 10 is objected to because of the following informalities: The applicant claims “a gas ejecting port at a side opposite to the opening of the bottle and a side surface”. The examiner suggests adding a comma after “bottle”, to show that the side surface is being claimed separately from the gas ejecting port, rather than being used to describe the location of the gas ejecting port.. Appropriate correction is required.

### ***Allowable Subject Matter***

Claims 1 – 9 and 11 are allowed.

The following is an examiner’s statement of reasons for the indication of allowable subject matter: in the independent claims, the recitation of an inflator with a housing having a curved air passage therein or a housing attached to the side surface of the diffuser, having an end located in front of the sealing plate where a piston provided inside the housing is urged toward the sealing plate to rupture the sealing plate, along with the rest of the recited elements, defines over prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fink (US 6,543,806) discloses an inflator for a vehicle protection apparatus. Campbell et al. (US 6,412,811) discloses an inflator. Jones, Sr. (US 3,690,695) discloses a restraint system. Faigle (US 6,022,045) discloses a vehicle occupant protection apparatus. Mossi et al. (US 5,622,381) discloses an integral projectile squib for air bag inflators. Ohm (US 5,322,326) discloses a triggering mechanism for inflating an air bag. Granig (US 4,268,065) discloses a device for discharging pressure gas reservoirs. France (US 5,642,902 and 5,472,231) discloses a retrofit airbag system for vehicles. Neuman (US 4,006,919) discloses an inflator assembly and flow control valve for same. Bergerson et al. (US 5,344,186) discloses an inflator assembly. Faigle et al. (US 5,590,906) discloses a vehicle occupant restraint system. Perotto et al. (US 6,206,418) discloses a hybrid generator with internal as injection. McLeod (US 3,791,302) discloses a method and apparatus for indirect electrical ignition of combustible powders. Moore et al. (US 5,421,609) discloses a rupture device. Cuevas et al. (US 5,536,040) discloses an inflator for side impact air bag. Okada (US 4,289,327 and 4,203,616) discloses an air bag device for cars.

This application is in condition for allowance except for the following formal matters:

As disclosed above, in claim 10, the examiner suggests adding a comma after "bottle", to show that the side surface is being claimed separately from the gas ejecting port, rather than being used to describe the location of the gas ejecting port.

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Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deanna L. Draper whose telephone number is 703-306-5939. The examiner can normally be reached on Monday - Friday, 9:00 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 703-308-2089. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

~~DEANNA L. DRAPER~~  
PATENT EXAMINER

dld  
June 30, 2003

  
LESLEY D. MORRIS  
SUPERVISORY PATENT EXAMINER  
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